

evaluates a good or bad shooting state for an individual image data, the  
evaluation based on a spatial frequency component of the individual image data;  
compares an evaluation concerning the individual image data within a memory  
medium with an evaluation concerning a new image data; and  
overwrites and records the new image data to said memory medium when the  
evaluation of the new image data is high in the comparison.--

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REMARKS

Claims 1-16 are pending. By this Amendment, claims 15 and 16 are added. No new matter is added.

In response to the Restriction Requirement, Applicants provisionally elect Species IV, Figs. 1, 10 and 11. Applicants submit that claims 1, 2, 5 and 11-14, as well as new claim 15, read on the elected species. The election is made with traverse.

It is respectfully submitted that the subject matter of all claims 1-16 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and the examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent the inventions" (emphasis ended). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested. Prompt examination and allowance of pending claims 1-16 is respectfully requested.

The Examiner is requested to consider the reference submitted with the attached  
Information Disclosure Statement.

Respectfully submitted,



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Attachments:  
Amendment Transmittal  
Information Disclosure Statement

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